

McCARTHY, JOHNSON & MILLER
LAW CORPORATION
LORI A. NORD, ESQ., #87993
DIANE SIDD-CHAMPION, ESQ. #78140
595 Market Street, Suite 2200
San Francisco, CA 94105
Telephone: (415) 882-2992

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Pursuant to this Court's order in the above-entitled action,
the undersigned hereby certifies as follows:

A. Service of process and parties not served: This action was originally filed in this court on February 27, 2008. Defendant was served on March 18, 2008 with the complaint and on

/ / /

1 April 15, 2008 with the amended complaint. Defendant's default was
2 entered on May 13, 2008. There are no additional parties to be
3 served.

4 B. Jurisdiction and venue: Jurisdiction is based upon the
5 Employee Retirement Income Security Act (hereinafter referred to
6 as "ERISA"), 29 U.S.C. Section 1001, and more specifically Section
7 1132. Venue is proper under both ERISA and the pertinent collec-
8 tive bargaining agreement.

9 C. Anticipated motions: Plaintiffs are filing a motion for
10 default judgment on May 30, 2008. This motion will be heard on
11 July 11, 2008.

12 D. Anticipated or remaining discovery: Not applicable.
13 See C above.

14 E. Further proceedings, including setting dates for discov-
15 ery cutoff, pretrial and compliance with local rules 235-7, 235-9
16 and 235-10: Plaintiffs are filing a motion for a default judgment
17 and hope to obtain a default judgment against defendant thereby.
18 Plaintiffs thus estimate that a final judgment will be obtained on
19 July 11, 2008, the hearing date on their motion. As such, we
20 respectfully request that this June 6 Case Management Conference be
21 taken off-calendar or continued until July 11, 2008.

22 F. Appropriateness of special procedures: Plaintiffs admit
23 that such procedures are not applicable to this action.

24 G. Modification of standard pretrial procedures: See E
25 above.

26 H. Prospects for Settlement: Nil.

27 / / /

28 / / /

1 I. Other matters; issues: See E above.
2
3

4 Dated: _____ Respectfully submitted,
5
6

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

McCARTHY, JOHNSON & MILLER
LAW CORPORATION

By: _____
LORI A. NORD
Attorneys for Plaintiffs